

## CALENDAR ITEM

# 118

A Statewide

12/18/15

S Statewide

S. Pemberton

### **CONSIDER SPONSORING LEGISLATION TO REPEAL CHAPTER 1700, STATUTES OF 1967; A CONDITIONAL GRANT OF SOVEREIGN LANDS TO THE COUNTY OF LOS ANGELES**

#### **SUMMARY:**

In 1967, the California Legislature conditionally granted public trust lands to the County of Los Angeles. To be operative, the grantee was required to submit a land use plan to the State Lands Commission for its approval. The land use plan was not submitted and the land reverted back to the State. It is currently under the Commission's jurisdiction. Staff recommends sponsoring legislation to repeal the granting statute to clarify jurisdiction and lessen confusion when projects are proposed on the land.

#### **BACKGROUND AND ANALYSIS:**

California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable lakes and waterways upon its admission to the United States in 1850. These lands are held in trust for public uses consistent with the common law Public Trust Doctrine. The Public Trust Doctrine protects the public's right to use waterways for common uses, such as commerce, navigation, fishing, boating, natural habitat protection and open space, and water-related recreation.

Since 1850, the California Legislature has periodically granted public trust lands to local jurisdictions to hold and manage, subject to various terms and conditions. Although transferred, these lands remain subject to the Public Trust Doctrine use protections, and the State Lands Commission oversees their use and management. Local trustees manage the land according to the terms and conditions of their grants and the Public Trust Doctrine.

In 1967, the Legislature granted public trust lands in Los Angeles County to hold and manage. The grant, however, was never effectuated and the land reverted back to the State and is under the Commission's leasing jurisdiction. Because the land reverted back to the State, the granting statute should be formally repealed. This proposed legislation is perfunctory; simply cleaning-up an outdated statute. This action will lessen confusion and facilitate progress when

CALENDAR ITEM NO. **118** (CONT'D)

projects or uses are proposed involving the public trust lands. For example, persons proposing projects on the land will better understand to contact the Commission for authorization, not the County.

**STAFF RECOMMENDATION:**

Commission staff recommends that the Commission sponsor legislation in the second half of the 2015-16 legislative session to repeal Chapter 1700, Statutes of 1967; a conditional grant of sovereign lands to Los Angeles County.

**RECOMMENDED ACTION:**

It is recommended that the Commission:

1. Sponsor legislation in the second half of the 2015-16 legislative session to repeal Chapter 1700, Statutes of 1967; a conditional grant of sovereign lands to Los Angeles County.